

Remarks

1. Claims 1-17 and 32-37 have been rejected under 35 U.S.C. § 112, second paragraph, for failing to particularly point out and distinctly claim the subject matter which the applicant regards as the invention. Claims 1, 2, 4-9, 12, 13, 18, 19, 21-24, 27, 28, and 32-36 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Tonisson (US 5,903,641) in view of Shaio (US 5,299,260). Claims 3, 10, 11, 14-17, 20, 25, 26, 29-31, and 37 have been rejected in view of Shaio and further in view of Corduroy (US 5,978,465). Claims 1, 2, 8, 18, 19, 32, and 34 have been amended. After a careful review of the claims, as amended, it is believed that claims are allowable and therefore allowance is respectfully requested.
2. Claim 1 has been amended to correct the typographical error creating the lack of antecedent basis for “supervisor’s terminal.” Also, claims 1 and 32 have been similarly clarified, thus overcoming the rejection under § 112.
3. Independent claims 1, 18, and 32 have been amended to clarify providing an intelligent-agent rule-configuration screen that allows a supervisor to select at least one parameter from a displayed list of a plurality of operational parameters, to set a threshold or limit for the at least one parameter from a displayed list of threshold values and limits for the at least one parameter, to select an action to be taken from a displayed list of actions, to select a monitoring schedule from a displayed list of monitoring schedules, and to initiate the intelligent agent from a display. Support for the amendment can be found in the specification, for example, on pages 8-10 and FIG. 2. Independent claims 1, 18, and 32 have also been amended to clarify selecting a monitoring schedule that

determines how the selected parameter will be monitored. Support for the amendment can be found, for example, on pages 9 and 10 of the specification.

4. Claims 1, 2, 4-9, 12, 13, 18, 19, 21-24, 27, 28, and 32-36 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Tonnison in view of Shaio. In particular, the Examiner asserts that:

“While, Tinnosson [sic] does not explicitly disclose providing an intelligent-agent rule-configuration screen (a terminal with a screen that is rule based works in accordance with an intelligent agent) on a supervisors terminal, it would have been obvious to one skilled in the art at the time of the invention that the automatic means, processing system or computer (col. 2, lines, 11-13) used by Tinnosson [sic] to select a parameter and communicate a monitoring schedule would include a terminal with a screen that works in accordance with an intelligent agent (a software) governed by specific rules. This obvious means should simply allow the supervisor to decide (select) which performance characteristic (parameter) should be optimized (col. 2, lines 12-13, 62-64) in order for this allocation to be done automatically and not manually (col. 2, lines 60-62). Shaio, for example, discloses such means, an intelligent agent rule base screen in a supervisor terminal (22, Fig. 1; and Fig. 3) in order to input the controlling information by a supervisor to the monitoring system. It would have been obvious to one skilled in the art at the time of the invention to combine the teachings of Tonnison and Shaio because Shaio’s agent supervisor means should simply allow the supervisor to input information affecting monitoring of the system including parameters, criteria, thresholds, monitoring schedules, and collect corresponding results.”

5. Shaio, however, merely discloses a call center manager console with an interactive user interface which can be used by the operator to enter information. An intelligent-agent rule-configuration screen, as presented in amended independent claims 1, 18, and 32, displays to the user a screen that allows the user to select an operational parameter from a displayed list of operational parameters, a screen that allows the user to select a monitoring schedule for the selected parameter or parameters from a list of monitoring schedules, screens that allow the user to select a threshold for the selected parameter or parameters from a list of threshold values for the selected parameter or

parameters, screens that allow the user to select an action to be taken from a list of actions, and a screen that allows the user to initiate the agent. The intelligent-agent rule-configuration screen displays all of the information that needs to be entered to the user. The interface disclosed in Shaio merely allows the user to enter information, it does not display the information that needs to be entered. Furthermore, the Examiner asserts that the “the choice of parameter amounts to choice of a monitoring schedule.” However, the monitoring schedule, as presented in amended independent claims 1, 18, and 32, determines how the selected parameter(s) will be monitored. One example in the specification is a monitoring schedule that is a recurrent monitoring to be performed until a certain condition is met. None of the cited prior art discloses the selection of a monitoring schedule that determines how the selected parameter(s) will be monitored. For these reasons, all of the independent claims 1, 18, and 32 are believed to be distinguishable over the prior art of record, and are therefore believed to be allowable. The dependant claims incorporate the same features that distinguish the independent claims from the prior art, and are therefore also believed to be allowable.

6. Claims 2 and 19 have been amended to clarify taking an action, the action being shutting down a call trunk, shutting down a communication line, and/or shutting down all or part of the call center. Tonisson merely discloses the distribution of calls to agents and does not disclose shutting down call trunks and/or shutting down all or part of the call center.

7. Dependant claims 3, 10, 11, 14-17, 20, 25, 26, 29-31, and 37 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Tonisson in view of Shaio and further in view of Corduroy. The features discussed above that distinguish independent

claims 1, 18, and 32 from the prior art are also not found in Corduroy. These features are incorporated into the above dependant claims, and therefore they are believed to be allowable.

Allowance of claims 1-37, as now presented, is believed to be in order and such action is earnestly solicited. Should the Examiner be of the opinion that a telephone conference would expedite prosecution of the subject application, he is respectfully requested to telephone applicant's undersigned attorney.

Respectfully submitted,
Welsh & Katz, Ltd.

By 

Christopher Marlow
Registration No. 55,427

November 8, 2004
Welsh & Katz, Ltd.
120 South Riverside Plaza
22nd Floor
Chicago, Illinois 60606
(312) 655-1500